



THE FOLLOWING ORDER
IS APPROVED AND ENTERED
AS THE ORDER OF THIS COURT:

DATED: January 29, 2016

Margaret Dee McGarity
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

In re: DMITRY LENIKMAN,

Bankruptcy Case No. 14-27596-mdm
(Chapter 7)

Debtor.

PATRICK S. LAYNG
United States Trustee,

Plaintiff,

Adversary Case No. 15-2122-mdm

v.

DMITRY LENIKMAN,

Defendant.

ORDER DENYING DISCHARGE

On March 16, 2015, the United States Trustee filed a Complaint to Deny Dmitry Lenikman's Discharge pursuant to 11 U.S.C. §§ 727(a)(3) and (a)(4) (the "Complaint"). Docket #1, Adv. Case 15-2122-mdm. After due and proper notice, an evidentiary hearing on the Complaint was held on January 14 and January 19, 2016. The appearances were: Attorney Amy J. Ginsberg for the United States Trustee; Chapter 7 Trustee Steven M. McDonald; Attorney Lynne Mueller for the Debtor; and the Debtor, Dmitry Lenikman. The following parties testified: Defendant Dmitry Lenikman; Vincent E. Morelli, Bankruptcy Auditor for the United States Trustee; and Steven M. McDonald, Chapter 7 Trustee.

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NOW, THEREFORE, after considering the Complaint, the Court's file, the evidence, the testimony of witnesses, and the statements of counsel:

IT IS HEREBY ORDERED:

1. The Complaint is amended to conform to the testimony and evidence presented to add an allegation pursuant to 11 U.S.C. § 727(a)(5), that the Defendant failed to explain satisfactorily any loss of assets or deficiency of assets to meet the debtor's liabilities;
2. Defendant Dmitry Lenikman shall be denied a discharge pursuant to 11 U.S.C. §§ 727(a)(3), (a)(4), and (a)(5);
3. The Clerk of the Bankruptcy Court shall not enter a discharge in this case; and
4. Judgment shall be entered accordingly.

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